

SIKKIM



GOVERNMENT

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**GOVERNMENT OF SIKKIM
URBAN DEVELOPMENT DEPARTMENT
GANGTOK**

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NOTIFICATION

In exercise of the powers conferred by section 17 of the Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Act, 1985, (Act No. 11 of 1985), the State Government is hereby pleased to make the following regulations further to amend the Sikkim Building Construction Regulations, 1991 namely:

- Short title extent and commencement
1. (1) These regulations may be called the Sikkim Building Construction (Amendment) Regulations, 2023.
 - (2) They shall extend to all the notified areas in Sikkim.
 - (3) They shall come into force at once.
- Substitution of Regulation 21.
2. In the Sikkim Building Construction Regulations 1991, hereinafter referred to as the "said regulation", for the existing regulation 21 and the entries relating thereto, the following shall be substituted, namely:-
"21. Other Conditions for Construction of Buildings.
 - (1) **No rain water/ waste water from a building to be allowed to fall on any road/footpath:** Every building or part of building from which there is a danger of rain/water falling on to any public street or footpath shall be provided with a gutter drain and a down pipe made of suitable materials of such design and capacity that the water will neither spill out of them nor leak through them, and shall be constructed to the storm water plinth protection drain of the building.
 - (2) **Rain Water Harvesting, Water Reuse and Recycling.**
 - (a) all building having a roof top area of 2000 ft or more shall install the rain water harvesting, collection and reuse facilities within the plot area. The rain water shall be used

for non-potable (washing of vehicles, gardening, moping and flushing etc.) and horticultural purpose;

- (b) all Government buildings (Central/State/Urban Local Bodies) shall have Rain Water Harvesting structures and provisions for reuse of water;
- (c) all public and semipublic buildings like educational institutions, commercial establishments, hospitals, group housing societies, industrial buildings, etc., shall have Rain Water Harvesting structures and provisions for reuse of water;
- (d) commercial buildings (shopping complex), Industrial buildings, 5 (five) star category hotels and mass housing infrastructure shall have provision for Waste Treatment Plant and policies for reusing for non-potable use.

(3) Digital Infrastructure

I The builder shall ensure that:

- (a) while preparing the blue print plans, there shall be properly demarcated sections within buildings and on rooftops for housing Broad Band / digital connectivity infrastructure / antenna. These areas shall have access to power supply for reliable, always-on services;
- (b) access to building as well as Common Telecommunication Infrastructure (CTI) facilities inside the building shall be available on a fair, transparent and non- discriminatory manner to all Service Providers/ Infrastructure Providers Category-1 (IP1's);
- (c) the Service Providers/ Infrastructure Providers Category-1 (IP1's) should have unrestricted access for maintenance work;
- (d) the permission to in-building access and/or Common Telecommunication Infrastructure facilities inside the building should not be seen as a source of revenue generation for builder(s)/ Residential Welfare Association(RWA(s)) but as a means for facilitating penetration of broadband access and thereby helping in socio-economic growth of all the residents;
- (e) charges levied to the Telecommunication Service Provider (TSPs)/ Infrastructure Providers Category-1 (IP1's) should be fair, transparent and non-discriminatory and should be on residential rates.

II At Layout Level:

While developing Greenfield cities/towns, the layout plans should clearly indicate the telecom as Utility infrastructure lines.

Standards followed for Utility planning shall be published and work shall be done by the respective department for bringing in the standardization of the utility coding and sequences. The placement and sequence of above- and below-ground utilities at the appropriate location in the right-of-way to be ensured for unconstrained movement as well as easy access for maintenance. Telecommunication cables should be placed in a duct that can be accessed at frequent service points with sufficient spare capacity to enable scaling and future expansion, and empty pipes (large size hume pipes/ HDPE pipes) should be laid before planting trees in order to accommodate additional infrastructure.

III Procedures for obtaining In Building Solutions (IBS)- No Objection Certificate (NOC) during plan approval and completion: While submitting the proposed Building plan seeking approval from the relevant sanctioning Authority, applicant shall also submit the following, namely:-

- (a) A complete Service Plan for In Building Solutions (IBS)- infrastructure along with required specifications (in consultation with, and certified by a credible Telecom Networking hardware-consultant)
- (b) An undertaking that such In Building Solutions (IBS) Infrastructure, when constructed shall be available for sharing by various Telecommunication Service Provider (TSPs)/ Infrastructure Providers Category-1 (IP-1s).
- (c) Such Service Plan (In Building Solutions (IBS)) shall be forwarded by concerned Local Authority to the Telecom Enforcement Resource and Monitoring (TERM) cell of the State (external NOC agency) – for approval NOC.
- (d) During the Joint Site Inspection of the complete building structure the Telecom Enforcement Resource and Monitoring (TERM) cell shall undertake inspection of the constructed/ installed In Building Solutions infrastructure – for issuance of NOC for Occupancy Certificate.

IV Access and Distribution Fibre and Internet Protocol/ Local Area Network networks for connectivity for the Shopping Malls, Multi-Storey Residential Buildings, Cooperative Housing Societies, Residential Welfare Association and Commercial Buildings shall be planned and deployed by Telecommunication Service Provider/ Infrastructure Providers Category-1 (IP-1s) as per standard requirement of providing high bandwidth and adequate indoor coverage to each unit or apartment in these complexes."

3 In the said regulation, regulation 21(A) shall be omitted.

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